

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MEGA CONCRETE, INC., et al. : CIVIL ACTION
:
v. :
:
MICHAEL SMITH, et al. : NO. 09-4234

ORDER

AND NOW, this 1st day of October, 2014, following a bench trial conducted on September 3, 2014, and for the reasons stated in a memorandum bearing today's date, IT IS HEREBY ORDERED that JUDGMENT IS ENTERED in favor of the defendants U.S.

Concrete, Inc. and Jerry Frajdenberg, and against plaintiffs Mega Concrete, Inc., Mega Sitework, LLC, and Capponi Enterprises, Inc.

Additionally, as counter-claimant U.S. Concrete, Inc. voluntarily dismissed its counterclaim against counter-defendants Mega Concrete, Inc., Mega Sitework, LLC, and Capponi Enterprises, Inc. at trial, said counterclaim is DISMISSED with prejudice.

BY THE COURT:

— /s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.